

(b) Does not arise.

Foreign Satellite Channels

419. SHRI P.R. DASMUNSI : Will the Minister of INFORMATION AND BROADCASTING be pleased to state :

(a) whether his Ministry is aware of the Supreme Court Judgement on the issue of providing uplinking facilities to foreign satellite channels specially for sports;

(b) if so, the details of the salient points of the said judgement;

(c) whether his Ministry is considering to further liberalise its stand to guarantee uplinking for sports purposes; and

(d) if so, the time by which it is likely to be effective ?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI S. JAIPAL REDDY) : (a) and (b) The Supreme Court in their judgement dated 9.2.95 in the case of Union of India vs Cricket Association of Bengal have, inter alia, held that airwaves are public property and it should be controlled and regulated by Public Authority. The salient features of the judgement are given in the enclosed Statement.

(c) and (d) The Broadcasting Bill, 1997 introduced by the Government in Lok Sabha on 16th May, 1997 provides for permitting private broadcasting in the country. The uplinking facility for purposes of broadcasting would obviously be a natural corollary as and when the private broadcasting is permitted as proposed in the Bill.

The Bill is at present under consideration of the Joint Select Committee of both Houses of Parliament.

Statement

Judgement delivered by the Supreme Court in the case of Union of India Versus Cricket Association of Bengal

The salient features of the two separate but concurring judgements delivered by the Supreme Court of India on 9.2.95 in the above case are :

(i) Airwaves or frequencies are a public property whose regulation should be controlled and regulated by a public authority representative of all section and interests in the society.

(ii) It is the fundamental right of a citizen to use the best means of imparting and receiving information and as such to have access to telecasting for the purpose. This right is, however, not absolute and is liable to restrictions being imposed (a) by virtue of the use of a public property (airwaves) and (b) in terms of the provisions of Article 19 (2) of the Constitution.

(iii) The broadcasting media should be under the control of the public as distinct from Government. It should be operated by a public statutory corporation or corporations, as the case may be, whose constitution and composition must be such as to ensure its/their impartiality in political, economic and social matters and on all other public issues.

(iv) Public broadcasting is implicit in Article 19 (1) (a) of the Constitution, but private broadcasting is not.

(v) It is for Parliament to decide whether private broadcasting should be allowed or not. If allowed it should not be left to market forces to ensure wide variety of voices enjoying access to it.

[Translation]

Programmes for Additional Power Generation

420. SHRI PANKAJ CHOWDHARY :
SHRIMATI KETAKI DEVI SINGH :

Will the Minister of POWER be pleased to state :

(a) whether the programme meant for increasing additional power generation in the country are lagging much behind their targets;

(b) if so, the reasons therefor;

(c) whether the Government have formulated any scheme to accelerate the pace of additional power generation; and

(d) if so, the details thereof ?

THE MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY AND MINISTER OF STATE OF THE MINISTRY OF POWER (SHRI YOGINDER K. ALAGH) : (a) and (b) During the year 1996-97, the energy generation target vis-a-vis Actual generation is given below :